



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
CRIMINAL JUSTICE

Tuesday, December 1, 2015

9:00 a.m.

Room 327 House Office Building

The House Standing Committee on Criminal Justice was called to order by the Chair.

Members present: Reps. Heise, Webber, Howrylak, Afendoulis, Lucido, Guerra, Hovey-Wright, Chang.

Members absent/excused: None.

Representative Lucido moved to adopt the November 10, 2015 minutes. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4947, HB 4948, HB 4949, HB 4950, HB 4951, HB 4952, HB 4953, HB 4954, HB 4955, HB 4956, HB 4957, HB 4958, HB 4959, HB 4960, HB 4961, HB 4962, HB 4963, HB 4964, HB 4965 and HB 4966 before the committee:

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| HB 4947 | (Lucido) | Juveniles; criminal procedure; age of juvenile court jurisdiction and location of juvenile detention in some instances; modify. |
| HB 4948 | (Howrylak) | Criminal procedure; sentencing; sentencing juveniles prosecuted in the same manner as adults; revise code of criminal procedure to reflect increase in age limit and factors for consideration. |
| HB 4949 | (Pagel) | Juveniles; criminal procedure; age of juvenile court jurisdiction in juvenile diversion act; modify. |
| HB 4950 | (Garrett) | Juveniles; criminal procedure; age of juvenile jurisdiction in youth rehabilitation services act; modify. |
| HB 4951 | (Forlini) | Mental health; other; age of juvenile in disposition of persons found not guilty by reason of insanity; modify. |
| HB 4952 | (Webber) | Criminal procedure; sentencing; sentencing juveniles prosecuted in the same manner as adults; revise the code of criminal procedure to reflect increase in age limit and factors for consideration. |
| HB 4953 | (Afendoulis) | Juveniles; criminal procedure; definition of adult in Michigan indigent defense commission act; modify. |
| HB 4954 | (Santana) | Criminal procedure; sentencing; sentencing juveniles prosecuted in the same manner as adults; revise the code of criminal procedure to reflect increase in age limit and factors for consideration. |

HB 4955	(Santana)	Criminal procedure; sentencing; sentencing juveniles prosecuted in the same manner as adults; revise the code of criminal procedure to reflect increase in age limit and factors for consideration.
HB 4956	(Guerra)	Juveniles; criminal procedure; factors to consider when determining jurisdiction over juveniles in certain circumstances; modify.
HB 4957	(Heise)	Juveniles; other; detention of juveniles in certain circumstances; modify.
HB 4958	(Heise)	Criminal procedure; sentencing; sentencing juveniles prosecuted in the same manner as adults; revise the code of criminal procedure to reflect increase in age limit and factors for consideration.
HB 4959	(Heise)	Corrections; alternatives; restrict placement of youth under 18 during confinement, trial, or transport; prohibit placement with adults during confinement, trial, or transport.
HB 4960	(Kesto)	Juveniles; criminal procedure; certain offenses that do not require adult sentencing; eliminate from the list of specified juvenile offenses in code of criminal procedure.
HB 4961	(Kesto)	Juveniles; criminal procedure; specified juvenile violation definition; modify in the revised judicature act.
HB 4962	(Kosowski)	Juveniles; criminal procedure; specified juvenile violation definition; modify in probate code of 1939.
HB 4963	(Kosowski)	Corrections; other; monitoring and oversight of juveniles under the age of 18 placed under the jurisdiction of the department of corrections; require, and provide for certain reporting.
HB 4964	(Love)	Human services; county services; county child care fund reimbursement rate; increase.
HB 4965	(Chang)	Corrections; other; family advisory board; establish.
HB 4966	(Howrylak)	Corrections; jails; time confined in cells for incarcerated individuals under 21 years of age; develop policies to limit.

Representative Santana and Representative Lucido testified in support of the bills. Questions and discussion followed.

Representative Kesto testified in support of his bills, HB 4960, HB 4961, and HB 4962.

Representative Kosowski testified in support of his bill, HB 4963.

Representative Love testified in support of her bill, HB 4964.

Representative Chang testified in support of her bill, HB 4965.

Representative Howrylak testified in support to his bill, HB 4966.

Kristen Staley, representing the Michigan Council on Crime and Delinquency, testified in support of the bills. Questions and discussion followed.

Mary Beth Kelly, representing the Governors' Committee on Juvenile Justice, testified in support of the bills.

Dave Dumas and Tom Cremonette, both representing Livingston County, testified in opposition to the bills. Questions and discussion followed.

Toni Bunton, representing herself, testified in support of the bills. Questions and discussion followed.

Jennifer Pilette, representing herself, testified in support of the bills.

Robert and Craig Wallack, representing Wolverine Human Services, testified in support of the bills.

Lois DeMott and Pete Letkemann, representing the Family Advisory Board and Family Participation Program, testified in support of HB 4947, HB 4948, HB 4949, HB 4950, HB 4951, HB 4952, HB 4953, HB 4954, HB 4955, HB 4956, HB 4957, HB 4958, HB 4959, HB 4960, HB 4961, HB 4962, HB 4963, HB 4964, and HB 4965.

The following people submitted a card with a neutral position on the bills, but due to time constraints were unable to speak:

Andrew Kandavas, representing the County of Wayne.
Bruce Timmons, representing himself.

Dana Gill and Dennis VanDam, representing the Michigan Association of Counties and Ottawa County, submitted a card in opposition to the bills, but due to time constraints were unable to speak.

The following people submitted a card in support of the bills, but due to time constraints were unable to speak:

Elisheva Johnson and Tracey Pollard, representing Michigan United.
Tom Hickson, representing the Michigan Catholic Conference.

The following people submitted a card in support of the bills, but did not wish to speak:

Deb Johnson, representing herself.
Terence Madden, representing the First Unitarian Universalist Congregation of Ann Arbor.
Fran Penn, representing herself.
Kate Warner, representing Restorative Justice of Washtenaw County.
John Gourlay, representing himself.
Carolyn Madden, representing the Coalition Against Mass Incarceration.
Kathie Gourlay, representing herself.

Matt Gillard, representing Michigan's Children.
Monica Jahner, representing Advocacy Resources Reentry Outreach.
John Shea, representing the Criminal Defense Attorneys of Michigan.
Laura Sager, representing the Citizens Alliance on Prisons and Public Spending.
Bill Kandler, representing the Michigan Probate Judges Association.
Ann Marston, representing herself.
Allan Wachendorfer, representing the National Association of Social Workers of Michigan.

The following people submitted a card in support of HB 4947, HB 4948, HB 4949, HB 4950, HB 4951, HB 4952, HB 4953, HB 4954, HB 4955, HB 4956, HB 4957, HB 4958, HB 4959, HB 4960, HB 4961, HB 4962, HB 4963, HB 4964, and HB 4965, but did not wish to speak:

Ronald Simpson-Bey, representing the American Friends Service Committee.
Sandra Girard, representing the Citizens for Prisons Reform.

The following people submitted a card in support of HB 4947, HB 4948, HB 4949, HB 4950, HB 4951, HB 4952, HB 4953, and HB 4954, but did not wish to speak:

Jay Cummings, representing the Michigan Conference United Church of Christ.
Clifton Turner, representing himself.
Leslie Cummings, representing the Woodside Church of Flint.
Alicia Guevara Warren, representing the Michigan League for Public Policy.
Lynn Scott, representing the Social Action Committee Unitarian Universalist Church.
Nicolas Cable, representing the Unitarian Universalist Church.
Joseph Eufinger, representing the Woodside Church of Flint.
Laura Eufinger, representing the Woodside Church of Flint.

Lisa Grego, representing the Michigan Juvenile Detention Association, submitted a card in support of HB 4947, but did not wish to speak.

Dr. Herman McCall, representing the Michigan Department of Health and Human Services, submitted a card in opposition to HB 4964, but did not wish to speak.

Joe Haveman, representing the Hope Network, submitted a card in support of HB 4947, HB 4948, HB 4949, HB 4950, HB 4951, HB 4952, HB 4953, HB 4954, HB 4955, HB 4956, HB 4957, HB 4958, HB 4959, HB 4960, HB 4961, HB 4962, HB 4963, and HB 4964, but did not wish to speak.

Rodd Monts, representing the American Civil Liberties Union of Michigan, submitted a card in support of the HB 4947-HB 4953, HB 4955-HB 4966, and in opposition to HB 4954, but did not wish to speak.

There being no further business before the committee, the Chair adjourned the meeting at 10:34 a.m.

Representative Kurt Heise, Chair _____
Angie Lake, Committee Clerk
House Criminal Justice Committee